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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Written statement submitted by Refugee Policy Group, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[22 November 1992]

Human rights protection for internally displaced persons

1. It is critical that the United Nations Commission on Human Rights address the human rights protection needs of internally displaced persons. Worldwide, there are an estimated 20 million people displaced within the borders of their own countries. Most have fled from their homes because of civil war or internal strife. Others have been displaced by ethnic persecution. Still others have been forcibly resettled by their own Governments on political, racial or ethnic grounds. There are an estimated 13 million in Africa, 5 million in Asia, 2 million in Europe and 1 million in the Americas. Many are subject to gross and persistent human rights violations, such as physical assaults, mass expulsions, deliberate starvation and forced labour.

2. But there is no international system in place to assist and protect them. Because internally displaced persons have not crossed a border, they often fall outside the mandates of refugee and relief organizations and receive little or no protection from the human rights community. Even the

organizations that have managed to assist and protect internal refugees over the years, such as the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, have mandates that either explicitly do not allow them to do so or that limit their involvement.

3. While current United Nations efforts have focused on the coordination of relief to internally displaced persons, little attention has been paid to the defence of their human rights. The Commission on Human Rights took a significant step at its last session by adopting resolution 1991/25 on internally displaced persons. For the first time the Commission drew attention to the protection needs of internally displaced persons and called upon the international community to intensify its efforts in their behalf.

4. On 24-25 June 1991 the Refugee Policy Group (RPG) convened a meeting in Washington, DC of 40 international experts to recommend steps the international community might take to enhance human rights protection for those displaced within the borders of their own countries. Participants included human rights specialists, experts from humanitarian organizations, international lawyers, United Nations and regional organization officials, and government representatives.

5. The meeting strongly urged that United Nations human rights bodies should play an important role in monitoring the situation of internally displaced persons. To this end, it called for the appointment by the Commission on Human Rights of a working group or rapporteur to address the human rights protection needs of internally displaced persons. The Refugee Policy Group strongly endorses this proposal.

6. To ensure rapid and effective protection for internally displaced persons, RPG suggests that the working group or rapporteur should be authorized to intercede with Governments, issue urgent action press releases, publish reports and make recommendations to the Commission for the further safeguarding of the rights of those displaced. It should be able to address the deliberate withholding of food by Governments to segments of their population or the obstruction of humanitarian assistance.

7. Consideration should be given to according United Nations human rights personnel an actual protection role in the field. It would be beneficial if officers from the United Nations Centre for Human Rights or from private organizations were to accompany humanitarian fact-finding missions to ascertain the immediate and longer-term protection needs of internally displaced persons, how best to monitor their treatment, and to advise on when conditions are sufficiently safe to warrant their return home.

8. The Commission on Human Rights can play an important role in bolstering humanitarian efforts by speaking out about serious abuses of internally displaced persons and calling upon Governments and the international community to take specific measures to protect persons at risk. Too often, humanitarian and relief organizations are constrained from doing so by their mandates or from fear of jeopardizing relief efforts. Yet international attention can serve to moderate Governments' practices and ultimately ensure that assistance and protection are provided to those displaced.

9. Recognition of the integral relationship between humanitarian and human rights issues is long overdue. Although the human rights and humanitarian fields have largely grown apart from one another, closer cooperation between the two can lead to the establishment of a more effective international system - a system that addresses both assistance and protection and provides internally displaced persons with increased physical security.